

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE THE APPLICATION OF ) Murgatroyd, Colin  
SERIAL NO.: ) 10/768,787  
FILED: ) January 30, 2004  
FOR: ) PERFORMANCE MONITORING IN A  
COMMUNICATIONS NETWORK  
CUSTOMER NUMBER ) 23,644  
CONFIRMATION NO. ) 7138  
ART UNIT: ) 2616  
EXAMINER: ) Elallam, Ahmed  
ATTORNEY DOCKET NO. ) 920537-95496

**RESPONSE AND AMENDMENT  
ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

Honorable Director of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action mailed September 8, 2008, and to accompany the filing of a Request for Continued Examination, the applicants submit the following remarks and amendments.